

AMENDMENT AND RESPONSE

PAGE 2

Serial No.: 09/747,273

Filing Date: 12/22/2000

Attorney Docket No. 100.047USR4

Title: CELLULAR COMMUNICATIONS SYSTEM WITH SECTORIZATION

REMARKS

The Office Action mailed on October 6, 2005 has been reviewed. Claims 1-23 and 59-105 are pending in this application.

Response to Amendment

In the Office Action mailed October 6, 2005, the Examiner stated that the amendments filed 08/27/2001 and 10/4/2004 proposed amendments to the reissue application that did not comply with 37 CFR 1.173(b). Applicants' Representatives submitted an Amendment and Response in compliance with 37 CFR 1.173(b) on November 7, 2005.

Correction of Inventorship

Included with this paper is a Request to Correct Inventorship along with a copy of the original Reissue Application Declaration signed by the corrected inventive entity.

Reissue Application Supplemental Declaration

Claims 10-23 and 59-105 were rejected as being based upon a defective reissue declaration under 35 U.S.C. 251.

In accordance with 37 CFR 1.175(b)(1), a supplemental reissue oath/declaration under 37 CFR 1.175(b)(1) is also submitted herewith. Therefore, Applicants respectfully request that this rejection be withdrawn.

Double Patenting Rejection

Claims 10, 14, 18, 19, 20, and 23 were rejected under the judicially created doctrine of double patenting as being unpatentable over claim 11 of U.S. Patent No. 5,627,879.

Claims 59-105 were rejected under the judicially created doctrine of double patenting as being unpatentable over claim 12 of U.S. Patent No. 5,627,879.

AMENDMENT AND RESPONSE**PAGE 3**

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A Terminal Disclaimer in compliance with 37 CFR 1.321(b)(iv) is enclosed herewith to over come these rejections. Therefore, Applicants respectfully request that this rejection be withdrawn.

Allowable Subject Matter

Claims 1-9 were indicated as being allowed.

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PAGE 4

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CONCLUSION

Applicant respectfully submits that claims 1-23 and 59-105 are in condition for allowance and notification to that effect is earnestly requested. If necessary, please charge any additional fees or credit overpayments to Deposit Account No. 502432.

If the Examiner has any questions or concerns regarding this application, please contact the undersigned at (612) 455-1681.

Respectfully submitted,

Date: 4-5-2006
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